

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.	1:07-CR-205-01
	:		1:07-CR-205-02
v.	:		1:07-CR-205-03
	:		1:07-CR-205-04
AVERY L. SOLLENBERGER,	:		1:07-CR-205-05
DENA SOLLENBERGER,	:		
GARY R. SOLLENBERGER,	:	(Judge Conner)	
WENDELL D. SOLLENBERGER, and	:		
LUANNE L. HUNSINGER,	:		
Defendants	:		

ORDER

AND NOW, this 27th day of November, 2007, upon consideration of the correspondence from Attorney Jonathan F. Altman¹ dated November 26, 2007, stating that defendants possess insufficient funds to retain substitute counsel, and it appearing that defendants may proceed *pro se* only if they knowingly and intelligently waive their right to counsel, see generally Faretta v. California, 422 U.S. 806, 814 (1975), but that defendants may be entitled to court-appointed counsel, it is hereby ORDERED that:

1. Defendants shall be permitted to file, on or before December 4, 2007, a response stating whether they elect: (1) to proceed *pro se* for pretrial and trial purposes, (2) to be represented by court-appointed counsel, or (3) to retain private counsel.

¹ The court notes that Attorney Altman has been terminated as attorney of record for defendants. As such, the court will accept no future correspondence from Attorney Altman regarding the above-captioned action.

- a. Should defendants elect to proceed *pro se*, a hearing will be held to determine if each defendant's election is competently and intelligently made. See Faretta, 422 U.S. at 814; United States v. Salemo, 61 F.3d 214 (3d Cir. 1995); United States v. Welty, 674 F.2d 185, 186 (3d Cir 1982); see also Johnson v. Zerbst, 304 U.S. 458 (1938).
 - b. Should defendants elect to be represented by court-appointed counsel, each defendant must file a Financial Affidavit (CJA-23) in support of his or her request for court-appointed counsel.
2. The Clerk of Court is directed to serve a copy of this order and a Financial Affidavit (CJA-23) on each defendant in the above-captioned action.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge